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File No: 53740

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

In re:

AMY N ANDERTON

Debtor.

Bankruptcy Case No. 19-24889 JTM

Chapter 13

**STIPULATION TO CURE
POST-PETITION ARREARAGE**

[Filed Electronically]

U.S. Bank Trust National Association, as Trustee of Cabana Series III Trust, hereinafter referred to as (“Secured Creditor”) by and through its attorney, Armand J. Howell, and the Debtor, by and through her attorney, David M. Cook, hereby stipulate as follows:

1. That as of March 2, 2020, the Debtor is delinquent three (3) post-petition payments of \$676.18 each from January 2020 through March 2020 (equaling \$2,028.54), with a suspense balance of \$666.10, for a total delinquency of \$1,362.44 and agrees to cure this amount as set forth below.

2. Debtor agrees to make the following payments to cure the post-petition arrearage as set forth in paragraph 1 above (said payments also include current payments commencing with the April 2020 payment):

a. Regular payments in the amount of \$676.18 (or any additional amount as required by the Note or Trust Deed) due on or before the first day of each month for the months of April 2020 through August 2020;

b. \$227.07 due on or before March 15, 2020;

\$227.07 due on or before April 15, 2020;

\$227.07 due on or before May 15, 2020;

\$227.07 due on or before June 15, 2020;

\$227.07 due on or before July 15, 2020;

\$227.09 due on or before August 15, 2020.

3. The payments required by paragraph 2 above must be made with certified funds at the office of BSI Financial Services, PO Box 679002, Dallas, TX 75267-9002.

4. Debtor shall make regular monthly payments of \$676.18 (or any additional amount as required by the Note or Trust Deed) due on the first day of each month commencing September 2020, and thereafter and payable directly to BSI Financial Services, PO Box 679002, Dallas, TX 75267-9002. Debtor also agrees to pay with the payments above in paragraph 2 any additional amount, if any, due to an increase in the monthly reserve requirement following notice by Secured Creditor.

5. In the event any of the regular monthly payments required by paragraph 2(a) or 5 or any payments required by paragraph 2(b) are not paid when due, then Secured Creditor may obtain an ex-parte order terminating the automatic stay as outlined above, but only after giving written notice of the nonpayment to Debtor and Debtor's attorney, and the unpaid amounts, plus any payments coming due within the ten (10) day period following the date of the notice, remain

unpaid for ten (10) days following the date of the notice. Notice shall be by certified mail and shall be complete upon deposit in the U. S. Mail. However, and notwithstanding the foregoing to the contrary, in the event three such written notices are given and there is a fourth default by Debtor, then Secured Creditor shall be entitled to an ex-parte order terminating the automatic stay by presenting an affidavit and order to the Court, but without the necessity of giving a fourth written notice or any other notice to Debtor.

6. All written notices required hereunder shall be addressed as follows:

Amy N Anderton
1312 West 300 South
Salt Lake City, UT 84104
Debtor

David M. Cook
716 East 4500 South
Suite N240
Salt Lake City, UT 84107

7. The acceptance by Secured Creditor of a late or partial payment shall not act as a waiver of Secured Creditor's right to proceed hereunder.

8. In the event Debtor is delinquent in Chapter 13 plan payments, Debtor agrees to cure the delinquency within 30 days.

9. With respect to Rule 4001(a)(3), the Court should allow immediate enforcement of any order for relief granted in accordance with this stipulation and the order filed herewith.

10. The Court is requested to execute the Order Based on Stipulation to Cure Post-Petition Arrearage filed herewith.

DATED this 2nd day of March 2020,

/s/ Armand J. Howell

Armand J. Howell

Attorney for Secured Creditor.